

CITY OF MORGAN HILL

REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: November 18, 1992

AGENDA ITEM NO. 14

TITLE: REVIEW AND CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE SUTTER BOULEVARD EXTENSION AND FLOOD CONTROL FACILITIES

RECOMMENDED ACTION:

- 1) Adopt attached Resolution certifying the Final Environmental Impact Report (EIR).

EXECUTIVE SUMMARY: The EIR for the Sutter Boulevard extension has been circulated for review and comment. All significant environmental impacts have been identified and mitigation measures developed. This EIR assesses environmental impacts of the proposed extension of Sutter Boulevard and the construction of a drainage channel along the eastern side of the street right-of-way. The attached Planning Commission report provides further background information on this item.

This item was continued from the November 4 meeting to allow the Council additional time to review the Final EIR and the proposed mitigation measures. The Council also requested additional information regarding the proposed location of sound walls along Sutter Boulevard, and possible alternatives to sound walls for noise mitigation. Staff is in the process of preparing a follow-up report to the City Council which will contain the requested information. This report will be distributed to each Council member on Monday, November 16, 1992. Please bring the Final EIR for the Sutter project with you to the November 18 council meeting. The EIR was distributed to the each Council member with the November 4 agenda packet.

It is recommended the City Council certify the Final EIR and further determine that the proposed project would not have a significant effect on the environment, with the exception of those unavoidable, adverse environmental impacts as described in Section IV of the EIR. This determination is based on the implementation of the mitigation measures contained in this report. With respect to the adverse impacts which cannot be mitigated, it is recommended the Council adoption of findings of overriding considerations as outlined in the attached resolution. The public hearing on this item was closed at the November 4 meeting. Further public hearing is not required.

FISCAL IMPACT/CONSISTENCY WITH 5-YEAR PLAN: The cost of preparing the EIR by the consultant, plus staff time for reports, research and other expenses total approximately \$ 74,000. The RDA is funding the cost of this project as part of the Capital Improvements Program. The project would be consistent with the 5-Year Plan, on page 240, which recommends the City purchase right-of-way and facilitate construction of regional storm water channels and detention ponds to mitigate flooding.


COMMUNITY DEVELOPMENT DIRECTOR


CITY MANAGER

RESOLUTION NO. 4631

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MORGAN HILL CERTIFYING THE FINAL
ENVIRONMENTAL IMPACT REPORT FOR THE SUTTER
BOULEVARD EXTENSION AND FLOOD CONTROL
FACILITIES.**

WHEREAS, the Draft Environmental Impact Report was received by the Planning Commission on June 23, 1992, at which time public and agency comments were received; and

WHEREAS, subsequent to those reviews, the comments were evaluated and responses to those comments prepared; and

WHEREAS, the information contained in the Final Environmental Impact Report was reviewed and considered by the City Council at a duly-notice City Council meeting on November 4, 1992;

**NOW, THEREFORE, THE MORGAN HILL CITY COUNCIL DOES RESOLVE AS
FOLLOWS:**

SECTION 1: CEQA COMPLIANCE: The City Council finds that the Environmental Impact Report (EIR) for the Sutter Boulevard extension and Flood Control Facilities is adequate and has been prepared in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the City Environmental Procedures, and that it has reviewed and considered the information contained in the EIR.

**SECTION 2: SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS IDENTIFIED
IN THE EIR; FINDINGS:** The City Council finds that each environmental impact identified in the subject EIR is acceptable because mitigation measures have been required to reduce these impacts to the extent feasible. In compliance with the requirements of Public Resources Code Section 21081 (a), the City Council hereby adopts a reporting or monitoring program or changes to the project or conditions of approval to mitigate or avoid significant effects on the environment as described in the Project EIR.

SECTION 3: STATEMENT OF OVERRIDING CONSIDERATIONS: The City Council hereby adopts a Statement of Overriding Considerations based on the following considerations:

Construction of the Sutter Boulevard and Watsonville Road extensions and drainage facilities would result in the following unavoidable, adverse environmental impacts:

1. Displacement/relocation of residences and one business
2. Loss of agricultural land
3. Increase of noise levels along the roadway extensions
4. Loss of riparian habitat
5. Visual/aesthetic intrusion.

The Council finds that the no project alternative would avoid all the adverse effects of the project and other alternatives; however, it would not reduce projected traffic congestion or potential property damage due to flooding. Therefore, the benefits of the proposed project outweigh the unavoidable adverse environmental effects. Significant impacts relating to noise, loss of riparian habitat and visual intrusion would be reduced to the extent feasible, based upon implementation of the mitigation measures contained in the EIR.

SECTION 4: NOTICE OF DETERMINATION: The City Clerk is instructed to file a Notice of Determination with the County Clerk and State Office of Planning and Research as required by Section 15094 of the State EIR Guidelines.

RESOLUTION NO. 4631
PAGE #3

PASSED AND ADOPTED THIS 18TH DAY OF NOVEMBER, 1992, AT A REGULAR
MEETING OF THE MORGAN HILL CITY COUNCIL BY THE FOLLOWING VOTE:

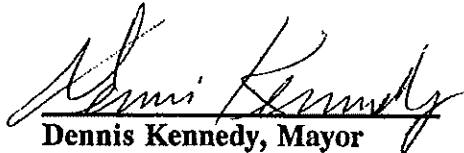
AYES: COUNCILMEMBERS Kennedy, Bassett, Martucci, Smith, Varela

NOES: None


ABSTAIN: None

ABSENT: None

APPROVED:


Dennis Kennedy, Mayor


ATTEST:


Betty G. Busk,
City Clerk

CERTIFICATE OF THE CITY CLERK

I, BETTY G. BUSK, CITY CLERK OF THE CITY OF MORGAN HILL,
CALIFORNIA, do hereby certify that this is a true and correct copy of Resolution No.
4631 that was passed and adopted by the City Council.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL
on this 7th day of December, 1992.



Betty G. Busk
City Clerk